

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROY RENNA,

Plaintiff,

-against-

QUEENS LEDGER/GREENPOINT STAR, INC.

Defendant.
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**ORDER ADOPTING REPORT and
RECOMMENDATION**

Civil Action No. 17-3378 (DRH)(SIL)

HURLEY, Senior District Judge:

Presently before the Court is the Report and Recommendation of Magistrate Judge Steven I. Locke, dated February 13, 2019, recommending that Plaintiff's motion for default judgment be granted as to liability but denied without prejudice as to damages. More than fourteen (14) days have passed since service of the Report and Recommendation and no objections have been filed. Rather, Plaintiff has filed an affidavit which apparently seeks to remedy the deficiency noted by Judge Locke.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72 and in accordance with the standard of review when no objections have been filed, this Court has reviewed the Report and Recommendation for clear error and finding none, now concurs in both its reasoning and its result. Accordingly, the Court adopts the February 13, 2019 Report and Recommendation of Judge Locke as if set forth herein. As to whether the additional material submitted by Plaintiff is sufficient to sustain an award of damages, Plaintiff must file a properly supported motion for damages. That motion must be filed within thirty (30) days from the date herof. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for default judgment against defendant Queens Ledger/Greenpoint Star, Inc. is granted as to liability, but denied, without prejudice, as to damages; and

IT IS FURTHER ORDERED that Plaintiff must file any motion for damages within thirty (30) days of the date hereof.

Dated: Central Islip, New York
March 6, 2019

/s/ Denis R. Hurley
Denis R. Hurley
United States District Judge